

ZONING COMMITTEE STAFF REPORT

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| 1. FILE NAME Port Authority of St. Paul | FILE #: 12-004-413 |
| 2. APPLICANT: Port Authority | HEARING DATE: February 2, 2012 |
| 3. TYPE OF APPLICATION: Rezoning | |
| 4. LOCATION: Area bounded by E 7 th St, Forest St, Phalen Blvd, Arcade St, and Minnehaha Avenue: 900 Bush Ave, 881 Bush, 847 Bush, 860 Bush, 840 Reaney Ave. | |
| 5. PIN & LEGAL DESCRIPTION: All of following PINs: 282922330053; 282922330037; 282922330035; 282922330052; 282922330047 (See file for legal descriptions) | |
| 6. PLANNING DISTRICT: 4 | EXISTING ZONING: I2 |
| 7. ZONING CODE REFERENCE: §61.801(b) | |
| 8. STAFF REPORT DATE: January 23, 2012 | BY: Luis Pereira |
| 9. DATE RECEIVED: January 11, 2012 | 60-DAY DEADLINE FOR ACTION: March 11, 2012 |
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- A. **PURPOSE:** Rezoning from I2 General Industrial to I1 Light Industrial.
- B. **PARCEL SIZE:** Parcel 2 (PINs 282922330035; 282922330052; 282922330047): 422,011 sq. ft (9.69 acres); Parcel 3 (PINs 282922330053; 282922330037): 379,921 sq. ft (8.72 acres). Total square footage 801,932 (18 acres).
- C. **EXISTING LAND USE:** light industrial, office
- D. **SURROUNDING LAND USE:**
 North: Phalen Boulevard right-of-way, Northern Iron of St. Paul (I2)
 South: Balance of former 3M site property (I1)
 West: M&H gas station and HealthEast Medical Transportation (I1)
 East: Additional former 3M site property – vacant parcel (I2)
- E. **ZONING CODE CITATION:** §61.801(b) provides for changes to the zoning of property initiated by the property owner.
- F. **HISTORY/DISCUSSION:** The properties at 900 Bush Ave, 881 Bush, 847 Bush, 860 Bush (formerly 761 Mendota), and 840 Reaney Ave have long been home to industrial and office uses. The 3M company began operating on this site in Saint Paul in 1910. As the company grew, it acquired adjacent residential and commercial property for its expanding business needs. In December 2008, the Port Authority closed with the 3M company on an initial 35 acres of the 3M site, including a portion of the area now proposed for rezoning. The City Council approved issuance of \$16 million of taxable and tax-exempt general obligation bonds to assist in the purchase and redevelopment. The Port Authority purchased the balance of the 3M site (11 acres) in December 2009, which included the western portion of the area now proposed for rezoning.
- G. **DISTRICT COUNCIL RECOMMENDATION:** Dayton's Bluff Community Council had not provided a position on this rezoning request at the time of this staff report.
- H. **FINDINGS:**
1. The Saint Paul Port Authority seeks a rezoning to I1 from I2 to support the redevelopment of the Beacon Bluff Business Center at the former 3M plant. The Beacon Bluff site development concepts, as endorsed by a Community Advisory Committee in December 2009, include light industrial and office uses on the portions of the property where rezoning is requested.
 2. The proposed zoning is consistent with the way this area has developed. The area has long had a variety of light and general industrial uses, including the former 3M main plant on this site, the Hamm's Brewery to the west along Minnehaha Avenue,

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and the Globe site further East on East 7th Street, zoned I2 and ~~M~~. E. 7th Street has long been home to commercial and mixed use development, which included a former bank on the edge of the 3M site property, at the corner of E. 7th Street and Mendota (within an area currently zoned I1, just outside of the area proposed for rezoning).

3. The proposed zoning is consistent with the Comprehensive Plan. Policy 1.54 of the Land Use Chapter of the Comprehensive Plan lists the former 3M site as an opportunity site for future development, including for mixed use development or as an employment center. The proposed I1 zoning will support the development of the site as an employment center.
4. The proposed zoning is compatible with the surrounding uses, including the industrial uses on the north side of Phalen Boulevard, HealthEast Medical Transportation and the M&H gas station on Arcade Street, and the mixed use/commercial properties that back up to Minnehaha Ave.
5. Court rulings have determined that "spot zoning" is illegal in Minnesota. Minnesota courts have stated that this term "*applies to zoning changes, typically limited to small plots of land, which establish a use classification inconsistent with the surrounding uses and creates an island of nonconforming use within a larger zoned district, and which dramatically reduce the value for uses specified in the zoning ordinance of either the rezoned plot or abutting property.*" The proposed rezoning is not "spot zoning," as it would permit the entire two blocks between Arcade, Minnehaha, E. 7th Street, Forest Street, and Phalen Boulevard to be developed with consistent, I1 uses.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the rezoning from I2 General Industrial to I1 Light Industrial.



PETITION TO AMEND THE ZONING CODE
 Department of Planning and Economic Development
 Zoning Section
 1400 City Hall Annex
 25 West Fourth Street
 Saint Paul, MN 55102-1634
 (651) 266-6589

Zoning office use only
 File # 12-004413
 Fee: 5700.00
 Tentative Hearing Date:

AD=4+5 2-2-12
 # 282922330035

APPLICANT

Property Owner Port Authority of the City of Saint Paul
 Address 345 St. Peter Street, Suite 1900
 City St. Paul St. MN Zip 55102 Daytime Phone _____
 Contact Person (if different) Monte M. Hilleman Phone 651-204-6237
 Legal Counsel Robert F. Devolve Phone 612-335-1480

**PROPERTY
 LOCATION**

Address/Location See Attached Drawing
 Legal Description See Attached
 Current Zoning I-2

TO THE HONORABLE MAYOR AND CITY COUNCIL

Pursuant to Section 61.800 of the Saint Paul Zoning Ordinance and to Section 462.357(5) of Minnesota Statutes, the Port Authority of the City of Saint Paul, owner of land proposed for rezoning, hereby petitions you to rezone the above described properties from I-2 zoning district to I-1 zoning district.

Attachments as required: Site Plan Consent Petition Affidavit

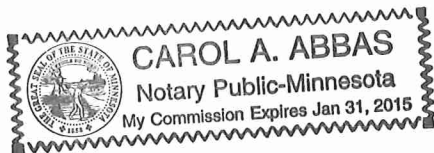
Subscribed and sworn to before me

this 9th day of January, 2012

Carol A. Abbas
 Notary Public

Port Authority of the City of Saint Paul

By: [Signature]
 Louis F. Jambois
 Title: President



RECEIVED
 JAN 11 2012
 Per _____

ATTACHMENT
LEGAL DESCRIPTIONS

Portion of Parcel 3 to be Rezoned From I-2 to I-1

Lots 1 through 30, inclusive, Block 1; Lots 1 through 29, inclusive, Block 2; the alley lying north of Block 1; the alley in Block 2; Bush Avenue lying west of Forest Street and east of Mendota Street; the north half of Reaney Avenue lying west of East Seventh Street and east of Mendota Street; and the east half of Mendota Street lying south of the Union Pacific Railroad and north of the center line of Reaney Avenue; all in E. M. Mackubin's Addition to Saint Paul, Ramsey County, Minnesota;

TOGETHER WITH

The west half of Mendota Street lying south of the Union Pacific Railroad and north of the easterly extension of the center line of the alley in Block 3, Hills Addition to St. Paul, Ramsey County, Minnesota.

Portion of Parcel 2 to be Rezoned From I-2 to I-1

Lots 1 through 15, inclusive, Block 1; Lots 1 through 30, inclusive, Block 2; Lots 1 through 15, inclusive, Block 3; the alley lying north of Block 1; the alley in Block 2; the north half of the alley in Block 3; Bush Avenue lying west of Mendota Street and east of Arcade Street; and Reaney Avenue lying west of Mendota Street and east of Arcade Street; all in Hills Addition to St. Paul, Ramsey County, Minnesota.

Former Railroad Parcel North of the Northeast Corner of Parcel 3 To be Rezoned from I-2 to I-1

That part of the Southwest Quarter of the Southwest Quarter of Section 28, Township 29 North, Range 22 West, Ramsey County, Minnesota, bounded and described as follows: Beginning at a point on the West line of Forest Street, distant 56 feet Southerly, measured radially, from the center line of the main track of the St. Paul, Stillwater and Taylors Falls Railroad Company (later the Chicago, St. Paul, Minneapolis and Omaha Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established across said Section 28, and being now the general location of the most Northerly or Westbound main track of said Transportation Company; thence Westerly parallel with said original main track center line, said parallel line being also the Northerly line of the alley in Block 1 in E. M. Mackubin's Addition to St. Paul, a distance of 140 feet, more or less, to a point distant 9 feet Southeasterly, measured radially, from the center line of the Chicago and North Western Transportation Company (formerly Chicago, St. Paul, Minneapolis and Omaha Railway Company) spur or yard track ICC No. 133, as said yard track is now located; thence Northeasterly parallel with said yard track center line a distance of 85 feet, more or less, to a point distant 30 feet Southeasterly, measured radially, from the center line of the most Southerly or Eastbound main track of the Chicago and North Western Transportation Company (formerly the Chicago, St. Paul, Minneapolis and Omaha Railway Company), as said main track is now located; thence Easterly parallel with said last described main track center line a distance of 55 feet, more less, to a point on the west line of said Forest Street; thence Southerly along said West line of Forest Street a distance of 13 feet, more or less, to the point of beginning.

Fig. 1. View of 900 and 881 Bush Ave, looking northeast from Mendota (demolished building 42 in the foreground, building 21 in the middle and building 20 in the rear)

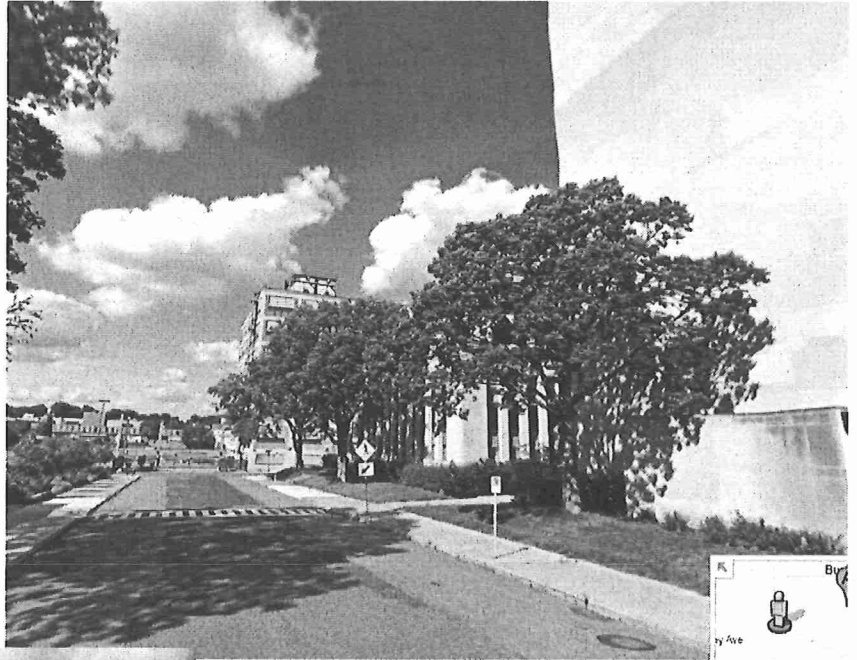


Fig. 2. View of 860 Bush (formerly 751 Mendota) in the foreground (showing now demolished building 24) and 847 Bush to the rear, looking west and slightly northward

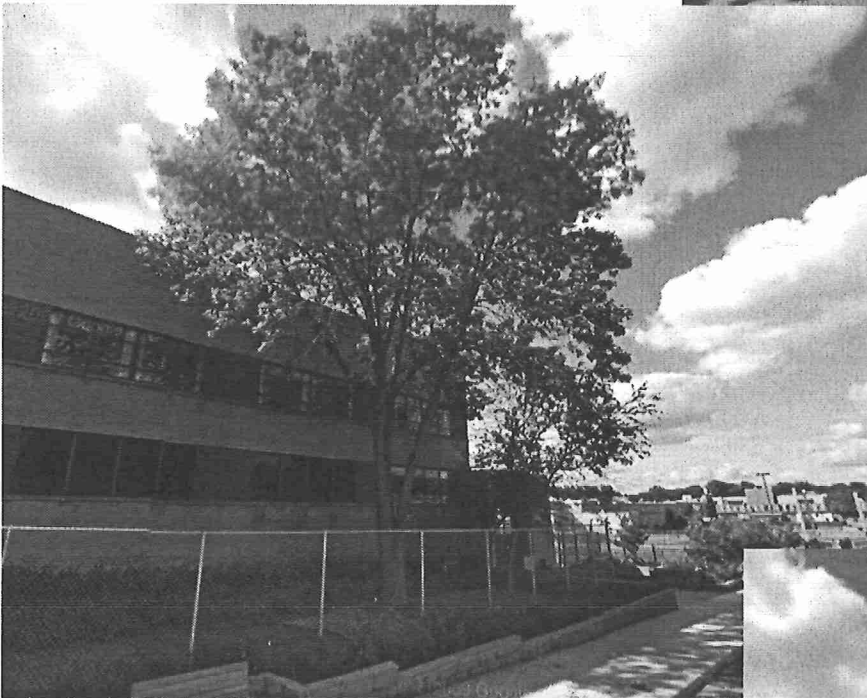
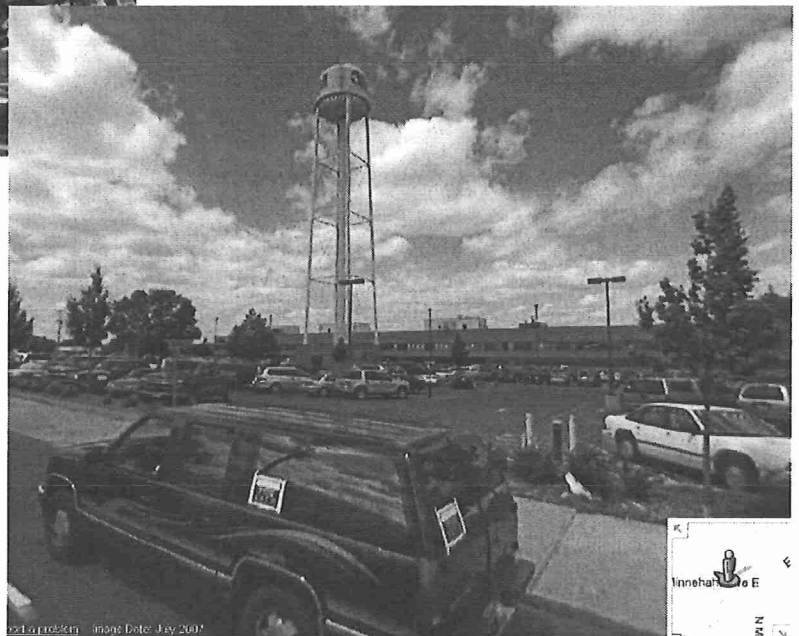


Fig. 3. View of 840 Reaney, looking northward and slightly west (notes: the southern half of this site, in the foreground, is not included in the rezoning. The water tower is now demolished)



Zoning

Z.F. 12-004-413

-  Port Authority proposed rezoning to I1
-  Planning district boundary



Land Use

Z.F. 12-004-413

 Port Authority proposed rezoning to I1

 Planning district boundary





**ST PAUL PLANNING COMMISSION
ZONING COMMITTEE**
Public Hearing Notice

CITY OF SAINT PAUL
Dept. of Planning and
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Fax: (651) 228-3220

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File Name: **Port Authority of St. Paul**
Hearing Date: **Thursday, February 2, 2012, at 3:30 p.m.**

You may send written comments to the Zoning Committee at the address listed on the reverse side of this card. Please call 651-266-6591, or e-mail luis.pereira@ci.stpaul.mn.us, or call your District Council representative at 651-772-2075, if you have any questions.

Location of Hearing:
City Council Chambers
Room 300, Third Floor
City Hall / Court House
15 West Kellogg Blvd.

Mailed: January 23, 2012



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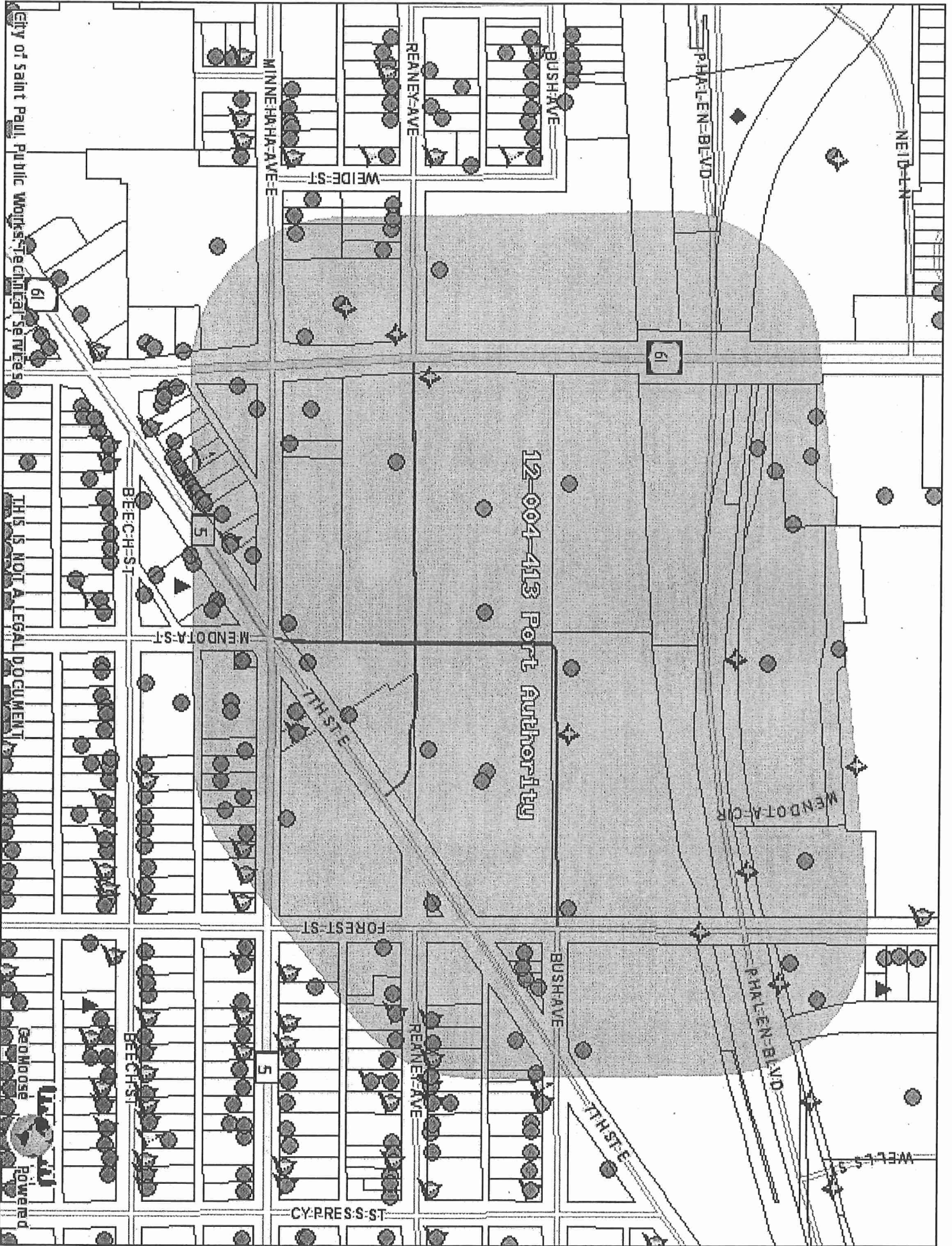
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City of Saint Paul, Public Works - Technical Services

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